

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

CHARLES C. KRETEK, as  
Personal Representative of  
Christopher Aparicio, Deceased,

Plaintiff,

v.

Civ. 11-676 RB/GBW

BOARD OF COMMISSIONERS  
OF LUNA COUNTY, et al.

Defendants.

**ORDER GRANTING EXTENSION OF TIME TO RESPOND**

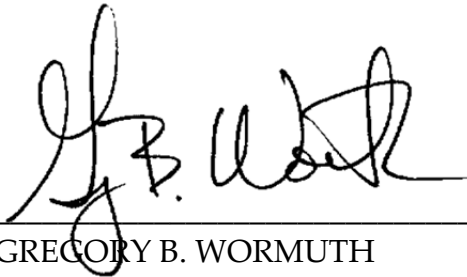
This matter is before the court on Plaintiff's Opposed Motion for Extension of Time to File Response in Opposition to Defendants' Motion for Summary Judgment on Plaintiff's Second Amended Complaint. *Doc. 155*. The matter is fully briefed. *See docs. 156, 157, 158*.

In this motion, Plaintiff requests until January 17, 2013 to file his response. *See docs. 155, 157*. Defendant opposes permitting Plaintiff "more than a month to respond." *Doc. 156* at 1-2. Given that Defendants' motion was filed on December 14, 2012, Defendant opposes any extension beyond January 14, 2013. *See doc. 152*. Therefore, the argument is over three days. The primary bases of Defendants' opposition are the concerns that an extension beyond a month will impinge on the Court's time to consider the motion and "both parties will be required to incur additional costs in this matter in

order to secure the appearance of their respective experts at the trial of this matter.”

*Doc. 156* at 2. While such concerns are relevant when considering extensions, the Court is unpersuaded that the additional three days sought by Plaintiff will significantly implicate them.

Wherefore, IT IS HEREBY ORDERED that Plaintiff’s response to Defendants’ Motion for Summary Judgment shall be extended until January 17, 2013.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE